

# Teen gets 9 years for beating, robbing Alzheimer's victim

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By Ruud Van der Veer  
The Tribune

HAYWARD — A 14-year-old boy convicted of beating and robbing an Alzheimer's disease victim was sentenced yesterday to nine years' confinement, with the judge calling the boy's behavior "pathological."

Alameda County Superior Court Judge Richard A. Hodge spoke out passionately on the case before ordering Demilo Hodge to the California Youth Authority.

The judge spoke of his horror at "the boy's intense rage and hostility toward certain helpless and weak people, towards people he can bully, toward an old and infirm woman. . . ."

The victim, Mary Jane Donaldson of D Street, spent a week in the hospital after the Feb. 19 attack. She remains confused but is gradually becoming used to walking around her house again, her husband said.

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and Bartalini.

for (defendant) Demilo  
Hodge  
the judge's  
the attorney said  
for the peremptory  
challenge  
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"There is no doubt as to guilt," the judge said. "What makes me fear for (defendant) Demilo

(Hodge) is the attitude that it's all somebody else's fault: society, the courts, the police.

"His inability to take responsibility is so pervasive that it is pathological."

When Judge Hodge opened the trial of another defendant in the same case, Shawn Byrd, 15, the boy's attorney, Timothy B. Rien, filed a motion asking the judge to disqualify himself.

One reason for the peremptory challenge, the attorney said afterward, was the judge's strong feelings in the Hodge case.

The judge reassigned the Byrd trial to the court of Judge Richard Bartalini.

Once in Bartalini's court, Rein asked that the case against Byrd be dismissed because, he said, Deputy District Attorney John Poppas interviewed Byrd at Juvenile Hall without an attorney present.

Bartalini did not rule on the motion pending legal research.

The third suspect in the attack, Tommy Burton, 15, pleaded guilty to armed robbery in exchange for his testimony. He is to be sentenced today by Hodge.

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# Teen gets 7 years in CYA for beating elderly woman

By Ramon Coronado  
The Tribune

HAYWARD — Describing him as a "bully and a coward," a judge yesterday sentenced 15-year-old Shon Byrd to the California Youth Authority for seven years.

Byrd's only reaction to the maximum sentence under the state's juvenile laws was to scratch his nose as the judge spoke. Byrd was convicted of robbing and brutally beating a 71-year-old woman who suffered from Alzheimer's disease on Feb. 19 on D Street.

Byrd also was sentenced for another conviction on charges of beating a 13-year-old boy who was on his knees as Byrd slugged and kicked him.

The incidents occurred three days apart in February, and according to the judge, Richard Bartalini of Superior Court, demonstrated that Byrd had a propensity to become a serious habitual offender.

"You are a danger and you

have a potential for future violence," Bartalini told Byrd.

Because the beatings were Byrd's first convictions, his lawyer, Timothy Rien, sought to have him sent to the minimum-security county boys ranch, where Byrd would have spent no longer than a year in custody.

Byrd was the third youth to be sentenced in the robbery and beating of the elderly woman, Mary Jane Donaldson.

Demilo Hodge, 14, who in testimony was the one who actually slugged and kicked the woman into unconsciousness, was sent to the youth authority for up to nine years.

Tommy Burton, 15, who turned state's evidence in the case, was allowed to plead guilty to a single count of robbery. As his sentence, he was removed from his parents and placed in the home of an aunt and uncle in San Francisco where he will be on probation until his 21st birthday.